



July 30, 2004

Mayor John Howe
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94086

Dear Mayor Howe:

Santa Clara Valley Transportation Authority (VTA) is establishing a committee to oversee the design enhancements process in projects within VTA's Valley Transportation Plan (VTP). The VTP DE Committee will include three representatives from each city in Santa Clara County. As noted in the attached Committee Bylaws, each city's committee members may include elected officials, staff members, arts commissioners or other individuals interested in visual arts.

I hope that you will be able to appoint your city's representatives to the VTP DE Committee by September 15, 2004. Please notify Gail Collins, VTA's staff liaison to the VTP DE Committee, of your representatives' names. She may be reached by telephone at (408) 321-5754 or by email at gail.collins@vta.org.

The first VTP DE Committee meeting will be held in early November at a location to be determined. If you do not appoint your city's representatives by September 15th, the meeting agenda packet will be sent to you.

VTA looks forward to working with your city representatives on this Committee.

Sincerely,

Don Gage, Chairperson
VTA Board of Directors

cc: Robert S. LaSala, City Manager

Attachment

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I certify that the foregoing instrument
is a true and exact copy of the original
on file in the Secretary of the Board of
Directors office.


Date 7/30/04

BYLAWS FOR
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)
VALLEY TRANSPORTATION PLAN 2020 (VTP 2020)
DESIGN ENHANCEMENTS COMMITTEE

Article I
GENERAL PROVISIONS

§1.1 Purpose

These Bylaws govern the proceedings of the VTA Valley Transportation Plan 2020 Design Enhancements Committee (VTP 2020 DE Committee), an ad-hoc advisory Committee established by the Board of Directors of the Santa Clara Valley Transportation Authority (VTA).

§1.2 Construction of Bylaws

Unless the provisions or the context of these Bylaws otherwise require, the general provisions, rules of construction and definitions set forth in Chapter 1 of VTA's Administrative Code shall govern the construction of these Bylaws. These

Bylaws shall govern the Committee's proceedings to the extent they are not inconsistent with VTA's Administrative Code or law.

§1.3 Definitions

As used in these Bylaws,

- A. "Chair" means the Chair of the Committee.
- B. "Secretary" means the Secretary of the Committee.
- C. "Member Agency" means the County of Santa Clara
or any of the cities within the County, in which a VTP 2020 project
appropriate for design enhancements is located.
- D. "Committee" means the VTA VTP 2020 Design Enhancements
Committee.
- E. "DE" means design enhancements.

Article II

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DUTIES AND AUTHORITY

§2.1 Duties

The Committee shall serve in an advisory capacity to the VTA Policy Advisory Boards (PABs), Board Standing Committees and Board of Directors. The duties of the Committee shall be as follows:

- A. Develop and recommend policies to apply the VTP 2020 DE to VTP 2020 projects.
- B. Serve as advocates of the VTP 2020 DE Program and represent the aesthetic interests of transit riders, highway travelers and communities impacted by VTP 2020 projects.
- C. Recommend the selection of VTP 2020 DE project urban designers, landscape architects, and artists.
- D. Review, comment on and make recommendations on VTP 2020 DE project proposals throughout their design and development regarding the aesthetic and artistic merits of the proposals.

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E. Recommend VTP 2020 DE budget allocations from the VTP 2020 program budget.

F. Develop VTP 2020 DE projects in close collaboration with the Member Agencies, VTA staff, VTA consultants and the Lead Program Artist.

G. Ensure that VTP 2020 DE projects recognize that the primary purpose of VTP 2020 projects is transportation by developing DE projects that are easily maintainable and do not impede safety.

H. Inform individual appointing authorities about Committee activities.

§2.2 Limitations

The Committee shall serve in an advisory capacity. It shall have no independent duties and no authority to take actions that bind VTA. The Committee shall make no expenditures or requisitions for services and supplies and no individual member thereof shall be entitled to reimbursement for travel or other expenses except as authorized by the Board of Directors.

Article III

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MEMBERSHIP

§3.1 Membership

The Committee membership will be as follows.

A. Member Agency Representatives.

Each Member Agency shall appoint a maximum of three members who may be elected officials, staff members, arts commissioners or other individuals interested in visual arts.

B. The Lead Program Artist.

C. Non-voting ex-officio members.

1. Representatives of transportation agencies involved in VTP 2020 projects (e.g., Caltrans and Caltrain). Each such agency may appoint one member.
2. VTA project managers of VTP 2020 projects.

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§3.2 Members' Terms

Members of the Committee shall serve continuously until resignation or replacement by their respective appointing authorities. Member Agencies may choose not to participate in the Committee after the VTP 2020 projects in their jurisdictions are completed.

§3.3 Vacancies

The Member Agency or body that made the original appointment shall fill a vacancy in a member's position.

Article IV

OFFICERS

§4.1 Chair and Vice Chair

The Committee shall, at its first meeting of the fiscal year, elect from its membership (excluding the Lead Program Artist) a Chair and Vice Chair for a one-year term. The Chair shall preside at all meetings of the Committee and represent

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the Committee before the Board of Directors. The Vice-Chair shall perform the duties of the Chair when the Chair is absent. In the event of a vacancy in the Chair's position, the Vice Chair shall succeed as Chair for the balance of the Chair's term and the Committee shall elect a successor to fill the vacancy in the Vice Chair position as provided below. In the event of a vacancy in the Vice-Chair's position, the Committee shall elect a successor from its membership to fill the Vice-Chair's position for the remainder of the Vice-Chair's term.

§4.2 Secretary

The Board Secretary's Office shall furnish staff services to prepare and distribute the Committee's agendas, notices, minutes, correspondence and other documents and shall assign an employee to attend each meeting of the Committee to serve in the capacity as the Committee's Secretary. The Secretary shall maintain a record of all proceedings of the Committee and shall perform other duties as provided by these Bylaws.

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Article V

MEETINGS

§5.1 Regular Meetings

Regular meeting dates, time and location shall be established to not conflict with the dates, time and location of the Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC), Policy Advisory Committee (PAC), Bicycle and Pedestrian Advisory Committee (BPAC), Policy Advisory Boards (PABs), and Board Standing Committees. Whenever a regular meeting falls on a holiday observed by VTA, the meeting shall be held on another day or canceled at the direction of the Committee. A rescheduled regular meeting shall be designated a regular meeting.

§5.2 Special Meetings

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The Chair, with the approval of the General Manager, may call a special meeting. The meeting shall be called and noticed as provided in Section 5.3 below.

§5.3 Calling and Noticing of Meetings

All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code). The General Manager and General Counsel shall be given notice of all meetings. The Committee shall meet at least once every three months, unless the Committee's activities are suspended.

§5.4 Quorum; Vote; Committee of the Whole

The presence of at least one member from a majority of the Member Agencies shall constitute a quorum for the transaction of business. All acts of the Committee shall require the affirmative vote of a majority of the members present. At any regularly called meeting not held because of lack of quorum, the members may constitute themselves a "Committee of the Whole" for the purpose of discussing matters on the agenda of interest to the Committee members present.

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The Committee of the Whole shall automatically cease to exist if a quorum is present at the meeting.

§5.5 Thirty Minute Rule

If a quorum has not been established within thirty minutes of the noticed starting time for the meeting, the Committee's Secretary may be excused from further attendance at the meeting.

§5.6 Matters Not Listed on the Agenda Requiring Committee Action

A matter requiring Committee action shall be listed on the posted agenda before the Committee may act upon it. However, the Committee may take action on items not appearing on the posted agenda under any of the following conditions:

- A. Upon a determination by an affirmative vote of the Committee that an emergency exists, as defined in Section 54956.5 of the Government Code.
- B. The item was properly posted for a prior meeting of the Committee not more than five calendar days prior to the date action is taken on

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the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

- C. By directing staff to place an item of business for discussion or action on a subsequent agenda. (This is an appropriate action for issues raised under Public Presentations.)

§5.7 Time Limits for Speakers

Each member of the public appearing at a Committee meeting shall be limited to two minutes in his or her presentation, unless the Chair, at his or her discretion, permits further remarks to be made. Any person addressing the Committee may submit written statements, petitions or other documents to complement his or her presentation.

§5.8 Impertinence; Disturbance of Meeting

Any person making personal, impertinent or indecorous remarks while addressing the Committee may be barred by the Chair from further appearance before the Committee at that meeting, unless permission to continue is granted by an affirmative vote of the Committee. The Chair may order any person removed from the Committee meeting who causes a disturbance or interferes with the

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conduct of the meeting and the Chair may direct the meeting room cleared when deemed necessary to maintain order.

§5.9 Access to Public Records Distributed at Meeting

Writings which are public records and which are distributed during a Committee meeting shall be made available for public inspection at the meeting if prepared by VTA or a member of the Committee or after the meeting if prepared by some other person.

Article VI

AGENDAS AND MEETING NOTICES

§6.1 Agenda Format

The agenda shall specify the starting time and location of the meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The description shall be reasonably calculated to adequately inform the public of the subject matter of each agenda item. The agenda may include recommendations for Committee action as appropriate. The Secretary, with the approval of the Chair, shall establish the order of business.

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§6.2 Public Presentations

Each agenda for a regular meeting shall provide an opportunity for members of the public to address the Committee on matters of interest to the public either before or during the Committee's consideration of the item, if it is listed on the agenda, or, if it is not listed on the agenda but is within the jurisdiction of the Committee, under the agenda item heading "Public Presentations." The Committee shall not act upon an item that is not listed on the agenda except as provided under Section 5.7. Each notice for a special meeting shall provide an opportunity for members of the public to directly address the Committee concerning any item that has been described in the notice for the meeting before or during consideration of that item.

§6.3 Agenda Preparation

The Secretary shall prepare the agenda for each meeting in consultation with VTA staff and the Chair. Material intended for placement on the agenda shall be delivered to the Secretary on or before 12:00 Noon on the date established as the agenda deadline for the forthcoming meeting. The Secretary may withhold placement on the agenda of any matter which is not timely received, lacks sufficient information, or is in need of staff review and report prior to Committee consideration. Any member of the Committee may request that such withheld

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matter be placed on the agenda by contacting the Secretary in advance of the meeting.

§6.4 Agenda Posting and Delivery

The written agenda for each regular meeting and each meeting continued for more than five calendar days shall be posted by the Secretary at least 72 hours before the meeting is scheduled to begin. The Secretary shall post the written agenda for every special meeting at least 24 hours before the special meeting is scheduled to begin. The agenda shall be posted in a location that is freely accessible to members of the public. The agenda together with supporting documents shall be delivered to each Committee member, the General Manager and General Counsel at least five days before each regular meeting and at least 24 hours before each special meeting.

§6.5 Meeting Notices

The Secretary shall mail notice of every regular meeting and every special meeting which is called at least one week prior to the date set for the meeting, to each person which has filed with VTA a written request for notice as provided in Section 54954.1 of the Government Code. The notice shall be mailed at least one week prior to the date set for the meeting. Notice of special meetings called less

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than seven days prior to the date set for the meeting shall be given, as the Secretary deems practical.

Article VII

MISCELLANEOUS

§7.1 Adoption and Amendment of Bylaws

The Committee may amend these Bylaws by the affirmative vote of a majority of its total authorized membership and with the approval of the Board of Directors.

§7.2 Robert's Rules

All rules of order not herein provided for shall be determined in accordance with *Robert's Rules of Order*, latest edition.

Adopted by the Board of Directors:

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